

EXHIBIT D

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

**IN RE: VALSARTAN, LOSARTAN, AND
IRBESARTAN PRODUCTS LIABILITY
LITIGATION**

Case No. 19-md-2875-RBK
MDL No. 2875

Honorable Robert B. Kugler,
District Court Judge

This Document Relates to All Actions

Declaration of Matthew Holt

I, Matthew Holt, being competent, over the age of twenty-one (21), and authorized by Defendant Walmart Inc., state that I have personal knowledge of the following facts and hereby declare under penalty of perjury:

1. Sam's Club is a chain of membership-only warehouse clubs operated by subsidiaries of Walmart Inc. I have held the position of Sam's Club Senior Director of Healthcare Operations since 2022. In this role, I am responsible for, among other things, managing the operation of Sam's Club pharmacies nationwide. I have held similar roles at Sam's Club during my more than seven years with the company.

2. I understand Plaintiffs are seeking contact information from Sam's Club membership records for those individuals who were dispensed certain prescription medications at Sam's Club pharmacies.

3. Many Sam's Clubs contain a pharmacy. Individuals are not required to be Sam's Club members to have prescription medications dispensed at a Sam's Club pharmacy.

4. Sam's Club members may be eligible for discounts on certain medications at Sam's

Club pharmacies. Members wishing to take advantage of an available member discount must provide a membership card at the time the prescription is processed.

5. After a prescription medication has been dispensed at a Sam's Club pharmacy, the sale transaction must be completed through a point-of-sale register. The point-of-sale register requires entry of a Sam's Club membership to complete the transaction. But since a pharmacy patient need not be a Sam's Club member to use a Sam's Club pharmacy, the patient can direct that a non-member "house" membership number be used at the point-of-sale register.

6. Information about the dispenses of prescription medication at Sam's Club is kept in a database separate from information about Sam's Club membership. Patients supply contact information for pharmacy transactions with the reasonable expectation that such contact information will be what is used to communicate with them about pharmacy transactions.

7. It is possible for Sam's Club to identify whether a Sam's Club membership number was provided in connection with dispenses of certain prescription medications. However, using such membership number to search the Sam's Club membership database for additional contact information raises significant privacy concerns that would be extremely burdensome, if not impossible, to fully address. The reason is because the identity of the membership cardholder is not necessarily the same as the identity of the patient to whom the medication was prescribed and dispensed.

8. If required to search for patient contact information within membership records, Sam's Club would need to undertake a transaction-by-transaction review to determine whether the patient's identity matches the identity of the member to whom a membership belongs. Without doing this, there is a risk that protected health information will be disclosed to a different person's email address, telephone number, or mailing address. Even with this individual review, there will

be uncertainty about whether the identity of the patient and member are a positive match.

9. Sam's Club takes the privacy of its patients' protected health information seriously and has made significant investments to safeguard protected health information consistent with applicable laws and patient expectations.

Executed June 22, 2023 at Bentonville, Arkansas.

A handwritten signature in black ink that reads "Matthew Holt". The signature is written in a cursive, slightly slanted style.

MATTHEW HOLT